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Before The  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

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Telephone Number Portability	)	CC Docket 95-116
	)	
North American Numbering Council (NANC)	)	NSD File No. L-98-84
Recommendation Concerning Local Number	)	
Portability Administration, Wireless and	)	
Wireline Integration	)	

REPLY COMMENTS OF AT&T CORP.

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**REPLY COMMENTS OF AT&T CORP.**

Pursuant to the Commission's Public Notice released June 29, 1998,<sup>1</sup> AT&T Corp. ("AT&T") hereby submits its reply comments on the Report of the North American Numbering Council ("NANC") regarding Local Number Portability Administration, Wireless-Wireline Integration.<sup>2</sup>

**INTRODUCTION AND SUMMARY**

As AT&T stated in its initial comments, the NANC's recommendations on the implementation of wireless and wireline local number portability ("LNP") are, for the most part, sound and strike an appropriate balance between various industry sectors. While there are a number of ways in which the implementation process could be improved, AT&T urges the Commission to disregard the comments of some parties, which fundamentally misconstrue both the NANC's role and its proposals, as well as ignore years of industry study and consensus-building. In addition, the Commission should retain the requirement that service provider

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<sup>1</sup> Public Notice, Common Carrier Bureau Seeks Comment on North American Numbering Council Recommendation Concerning Local Number Portability Administration Wireline and Wireless Integration, DA 98-1290 (rel. June 29, 1998).

<sup>2</sup> North American Numbering Council, Local Number Portability Administration Working Group Report on Wireless Wireline Integration (May 8, 1998) ("NANC Report").

portability be implemented between wireless and wireline carriers despite the complaints of some wireline carriers that differences in call rating architectures between the industries results in a so-called “competitive disparity.” This argument simply evidences a desire by incumbent local exchange carriers (“ILECs”) to delay local telephone competition, and by carriers without wireless operations to insulate themselves from the added competition wireline-to-wireless porting would encourage. The Commission should instead continue to take all actions necessary to ensure that wireless and wireline LNP integration proceeds in the most cost effective and efficient manner possible.

**I. THE DECISION TO SEPARATE THE MIN AND MDN WAS ARRIVED AT THROUGH INDUSTRY CONSENSUS AND IS THE SOLUTION THAT BEST EFFECTUATES THE COMMISSION’S MANDATE THAT WIRELESS LNP SUPPORT NATIONWIDE ROAMING**

Despite the fact that it had ample opportunity to provide input during the more than two years of analysis by wireless carriers and vendors of the most effective way to achieve wireless LNP while continuing to support nationwide roaming, the Telecommunications Resellers Association (“TRA”) now asks the Commission to throw out the industry consensus decision and implement its proposal instead. TRA contends that the Commission should adopt “an approach similar to that used for wireline number portability – a ‘location routing number’ (LRN) approach,”<sup>3</sup> rather than “[t]he NANC’s suggested approach” of requiring “that each local wireless network be able to recognize and process two distinct identification numbers – a Mobile Identification Number (“MIN”) and a Mobile Directory Number (“MDN”).”<sup>4</sup> TRA is under the mistaken belief that its proposed methodology “would bring the benefits of portability to the

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<sup>3</sup> Comments of the Telecommunications Resellers Association at 10 (“TRA Comments”).

<sup>4</sup> Id. at 7.

greatest number of consumers more quickly” than the industry decision to separate the MIN and MDN.<sup>5</sup> There is no merit to this position. TRA’s approach would be as burdensome (if not more so) to implement as, and lacks many of the benefits of, MIN/MDN separation. Significantly, TRA’s proposal was considered and rejected by the industry working groups for this very reason.<sup>6</sup>

TRA’s comments display a basic misunderstanding of wireless technology and the steps taken by the industry to devise a solution to problems unique to the wireless industry. While the LNP solution adopted by the wireless industry is the wireline LRN approach proposed by TRA, maintaining nationwide roaming in a wireless environment requires the performance of additional measures. Unlike the wireline system, to provide service to mobile subscribers,

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<sup>5</sup> Id. at 4. As the comments filed in this proceeding demonstrate, implementing wireless LNP while maintaining nationwide roaming is extremely complicated and costly and, contrary to TRA’s assertion, there are no easy fixes. For this reason, AT&T urges the Commission to disregard MCI’s attempt to portray legitimate requests by the wireless industry to delay wireless LNP implementation until at least some of these problems can be resolved as “hackneyed recitals.” MCI Comments at 7 (“MCI Comments”). Notwithstanding MCI’s unsubstantiated view that wireless carriers have merely been engaging in illegitimate delaying tactics, the evidence demonstrates that the wireless industry has been working diligently to fulfill the Commission’s mandate in the most effective and efficient manner possible. There is no dispute, however, that wireless carriers face additional and much more substantial obstacles than their wireline counterparts in implementing LNP (as the Commission itself has recognized), which must be “countenance[d]” by the Commission. See id.

<sup>6</sup> As a threshold matter, TRA is incorrect that separation of the MIN and MDN is a “NANC approach.” See TRA Comments at 7. The NANC neither recommended the solution nor asked the Commission to come up with a solution. Rather, after the Commission mandated that CMRS providers implement number portability in 1996, the Cellular Telecommunications Industry Association (“CTIA”) issued a request for information (“RFI”) seeking proposals for achieving LNP in the wireless networks together with maintenance of nationwide roaming. CTIA held an open forum to discuss the RFI responses and the industry later arrived at a consensus decision. The CTIA Number Advisory Group created a sub-task group for the purpose of documenting the Wireless Number Portability (“WNP”) solution. The group created a Service Requirements Document to aid the standards bodies in researching WNP impacts to wireless protocols.

wireless carriers must have a procedure for "registering" such customers on their Mobile Switching Centers ("MSCs"). Separating the MIN and MDN will support roaming registration and validation while ensuring automatic call delivery even when a ported subscriber is roaming. During the registration process, the mobile handset will communicate its MIN to the MSC via an air interface (as it does today). Only the MIN will need to be programmed into the handset. When a subscriber roams, the visited MSC will obtain the MDN from the mobile subscriber's Home Location Register for future call delivery. Therefore, call routing to the visited MSC (which in turn connects the call to the mobile terminal) will be done through use of the MDN.

TRA's claim that, under its proposal to port the MIN alone, wireless LNP can be achieved and nationwide roaming maintained without the need for carriers outside the top 100 MSAs to upgrade their networks prior to implementation is simply incorrect.<sup>7</sup> Although TRA's approach would not require carriers to separate the MIN and MDN, it would require mobile switches to support Global Title Translation ("GTT"). However, many mobile switches, especially those outside the largest 100 MSAs, do not yet support GTT and would have to be upgraded for this purpose. In addition, network upgrades would have to be undertaken in order

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Subsequently, the CTIA Report on Wireless Number Portability, Version 1, was issued in April 1997, followed by Version 2 in July 1998.

<sup>7</sup> SBC Communications, Inc.'s assertion that if the Commission clarifies that carriers need only support manual roaming, carriers will not have to upgrade their networks unless they want to provide automatic roaming does not paint an entirely accurate picture. Comments of SBC Communications, Inc. at 9 ("SBC Comments"). It would be unreasonably discriminatory if a carrier continues to provide automatic roaming to its wireless roaming partners, but only manual roaming to roamers with ported numbers. Moreover, a manual roamer can make calls but can only receive calls via special ports on the visited carrier's switch. These "roamer ports" are affected by the MIN/MDN separation because the roamer port functionality pages the mobile station based on the MIN. A caller to a mobile unit would only have access to the MDN and therefore would enter the MDN when placing a call. However, the roamer under these

to route the registration message via the Number Portability Data Base.<sup>8</sup> Thus, to preserve nationwide roaming, upgrades throughout the roaming footprint, whether within or outside the top 100 MSAs, would be necessary under TRA's recommended approach before the first subscriber ports and roams.

Porting the MIN has some other very significant drawbacks. For example, during the registration process, the MIN is analyzed and when a subscriber roams onto another network, this analysis includes confirmation that the customer is associated with a valid service provider roaming partner. This validation is done by comparing the first six digits of the MIN to the roamer tables built into the switch software. If the wireless industry were to port the MIN, service providers would need to provision roamer tables with the full ten digits of the MIN because, pursuant to TRA's solution, in a porting environment, the first six digits of the MIN (NPA-NXX equivalent) do not necessarily denote the service provider. With only six digits, there would be no way for the switch to determine whether the subscriber attempting to register is a customer roaming from a legitimate roaming partner. Fraud prevention efforts would require service providers to provision these ten digit tables in near real time.

Because it is assumed that wireless subscribers will be porting from one service provider to another in volumes equal to current industry churn rates, it is very likely that an automated provisioning system into the MSC, with a feed from the NPAC SMS for downloading ported subscriber information, would be necessary. While manual provisioning is the norm today,

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conditions would not be able to receive calls, as the switch would not be capable of associating the dialed MDN with the mobile subscriber's MIN.

<sup>8</sup> TRA appears to believe that separation of the MIN and MDN would require upgrades at cell sites as well as at mobile switches. This is not true. Upgrading cell site equipment is not necessary to allow the MIN/MDN separation.

maintaining real time roamer tables at the rate of wireless porting volumes would be difficult, if not impossible. TRA's proposed requirement to build ten digit roamer tables would be a continuing financial burden because the additional capacity needed to support the tables and the need to implement an efficient way in which to maintain them would be ongoing. In contrast, separation of the MIN and MDN generally entails a one-time expense.

The rationale for separating the MIN and MDN is to preserve wireless registration routing as it exists today. Registration messages can represent as much as 80 percent of a wireless carrier's traffic load and the wireless industry correctly determined that any LNP solution should maintain this routing procedure to the extent possible. AT&T sees no legitimate technical or policy rationale for disrupting registration routing in favor of TRA's proposal.

There are also advantages to the wireless industry consensus decision that would be lost under TRA's approach. For example, by moving to a MIN/MDN separation, MIN-based providers will be prepared for future use of 15 digit non-dialable International Mobile Station Identities ("IMSI's"), already in use by GSM providers. The use of IMSIs will facilitate automatic international roaming. In addition, the separation of the MIN and MDN will permit less costly area code splits for wireless carriers because subscriber handsets would not need to be reprogrammed.<sup>9</sup>

TRA has set forth no valid reason for abandoning the well supported wireless industry number portability/automatic roaming solution. TRA's simplistic technical analysis is, in many instances, incorrect and fails entirely to acknowledge the many disadvantages of the proposal.

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<sup>9</sup> The MIN, as programmed in the handset, would remain the same. The MDN, which would change in an NPA split, is stored in the carrier's network computers and communicated through the registration process.

TRA's solution was examined and rejected previously by industry experts and the Commission should do the same. To switch now to TRA's proposal would cause even greater delays in wireless LNP implementation and would negate all industry work to date. All standards, engineering, and applications developed under the industry consensus would have to be revised, administrative systems changed, and vendor orders canceled. This clearly would not serve the Commission's, the public's, or even TRA's objectives.

## **II. THE COMMISSION SHOULD ENCOURAGE REDUCED WIRELINE-TO-WIRELESS PORTING INTERVALS**

In its initial comments, AT&T stated that the Commission should encourage a meaningful reduction in wireline-to-wireless porting intervals. AT&T explained that although various technical concerns, as well as state and federal rules intended to prevent "slamming," might make "porting out" somewhat more complex in the wireline world, it should not necessarily require the same lengthy interval as "porting in."

MCI and SBC have misconstrued the request by the wireless industry for an investigation into ways to decrease porting intervals as an attempt by wireless carriers "to gain an advantage over wireline carriers by being able to move a wireline customer to a wireless service provider faster than a wireline carrier could move a wireless customer to its service."<sup>10</sup> Nothing could be further from the truth. The wireless industry agreed to honor the wireline interval for wireless-to-wireline ports because that is what the wireline industry requested. Upon request, AT&T's wireless affiliate would happily shorten its "porting out" intervals if wireline carriers were in a position to reconnect that customer in the same time frame. The fact is, however, that because of their own internal processes, wireline carriers often require three to five days to "port in" a

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<sup>10</sup> MCI Comments at 9.

customer. It would not serve the public interest for the wireless carrier to leave a customer without service until the wireline carrier is ready to accept that customer and, therefore, wireless carriers have agreed to retain the customer on their networks to satisfy the wireline carrier's required porting interval.

That being the case, however, it is not readily apparent why, if a wireline carrier can technically "port out" more quickly than it can "port in," it should be permitted to delay service to wireless carriers if the business model used by wireless carriers permits them to commence service much more promptly than the three to five days that is the norm for wireline carriers. Contrary to MCI's assertion, this has nothing to do with "competitive equity."<sup>11</sup> The Commission should assess LNP intervals on the basis of how long it takes the porting carrier to move a customer off its network to a receiving carrier that is prepared to provide service to that customer. While AT&T agrees that no customer should ever be left without service, it is equally true that customers should not be retained by a provider for any longer than is absolutely necessary to allow the receiving carrier to reconnect the customer to its network. Accordingly, the Commission should urge the NANC to proceed with its investigation into reduced wireline-to-wireless porting intervals.

### **III. THE COMMISSION SHOULD REJECT ILEC ARGUMENTS THAT INTER-INDUSTRY PORTING RESULTS IN "COMPETITIVE DISPARITY"**

In connection with the development of the NANC Report, some wireline carriers argued that because the ILEC rate center paradigm limited the customers they could "port in," wireless carriers should be similarly constrained. In particular, they proposed eliminating all wireline-to-wireless porting obligations except to fixed wireless providers who have established the same

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<sup>11</sup> See *id.*

rate centers as the ILEC. While the NANC determined that there are no technical barriers to wireline-to-wireless ports and developed the technical assumptions for such ports, it asked the Commission to resolve whether this so-called “rate center disparity” results in competitive inequity to wireline carriers.<sup>12</sup>

Notably, in their comments, the wireline carriers urge the Commission to resolve this issue expeditiously, but they do not repeat the position expressed in the wireline attachment to the NANC Report. SBC, for example, states that “views as to whether [the rate center difference] is a ‘material’ disparity is likely to depend on whether you are a wireline provider or wireless provider and perhaps ultimately on the level of competition that develops between wireless and wireline providers.”<sup>13</sup> SBC simply asks for guidance on whether “complete parity” is a requirement under these circumstances. Similarly, without taking any position on the outcome, BellSouth requests that the Commission resolve this critical policy issue promptly.<sup>14</sup>

Contrary to BellSouth’s proposal, however, there is no reason that the Commission should initiate a public comment cycle on the rate center issue or delay the integration of wireline/wireless number portability. The instant proceeding provides interested parties with sufficient notice and time to express their views on whether the existing differences in wireless/wireline architecture and billing practices permit competitively neutral porting. Indeed, the majority of commenters state that, to encourage nascent local exchange competition, the

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<sup>12</sup> There is no basis for BellSouth’s assertion that the NANC Report left this technical issue unresolved. Comments of BellSouth at 5 (“BellSouth Comments”). The NANC fulfilled its obligation to determine whether wireline/wireless porting is technically feasible. It is now incumbent upon the Commission to determine the competitive consequences of such porting.

<sup>13</sup> SBC Comments at 4.

<sup>14</sup> BellSouth Comments at 9.

Commission should continue to mandate LNP between wireless and wireline providers without foisting the ILEC rate center paradigm on wireless carriers.<sup>15</sup> AT&T reiterates that there is no merit to the "competitive disparity" argument offered by a minority of wireline carriers and urges the Commission to reject that claim as soon as possible.

**IV. THE PROPOSALS MADE TO REVISE ADMINISTRATIVE PROCEDURES ARE DESIGNED TO BENEFIT ALL CARRIERS, NOT JUST WIRELESS CARRIERS**

MCI complains about proposals by the NANC to alter the Number Portability Administration Center ("NPAC") to extend business hours to include Saturdays and argues that such alternation is intended solely to benefit the wireless industry. This is incorrect. The NPAC change order is for use by all carriers and, indeed, many wireline carriers currently have, or plan to expand their operations to include, Saturday business hours. With the NPAC alteration, any carrier, wireless or wireline, can indicate in its carrier profile whether it supports Saturday business hours.<sup>16</sup>

For this reason, the Commission should reject MCI's suggestion that "[i]f any accommodation of wireless carriers is made in NPAC design or operations, at the very least cost recovery measures should ensure that these costs be borne by the wireless industry, as carrier-

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<sup>15</sup> Comments of the Rural Telecommunications Group at 2-5; Comments of the Cellular Telecommunications Industry Association at 8-11; Comments of Sprint PCS at 5-7.

<sup>16</sup> If a carrier chooses not to establish Saturday business hours, it will not be required to port numbers on that day. The NPAC revisions discussed above would have no effect on such carriers.

specific costs, not wireline carriers.”<sup>17</sup> The NANC’s Cost Recovery Working Group advised the NANC that these types of costs are to be shared and it would be technically infeasible to base recovery procedures on whether or not a particular carrier or group of carriers choose to use a specific NPAC feature. The addition of NPAC support for shorter timers and the extension of Saturday as an NPAC business day are features available to all users. In addition, the inclusion of a destination point code and subsystem number for short message service will allow all carriers nationwide to complete calls to ported numbers. More significantly, NPAC is currently configured to support features, such as LIDB, Calling Name, and CLASS, which are only available in wireline networks. In light of this, MCI’s concern that it might have to contribute to cost recovery for NPAC features that it may not choose to use is entirely disingenuous.

### **CONCLUSION**

For the foregoing reasons, AT&T urges the Commission to support the wireless industry consensus on the most appropriate way to implement wireless number portability while maintaining nationwide roaming as it is known today. In addition, the Commission should encourage reduced porting intervals and reject without further consideration the argument of some wireline carriers that differences in rating and routing architecture between wireless and wireline carriers renders wireless/wireline porting competitively inequitable. Finally, the

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<sup>17</sup> MCI Comments at 10.

Commission should emphasize that changes to the NPAC must be made even if certain carriers do not wish to utilize such features and that the costs of such changes will be spread across the telecommunications industry as the NANC proposed.

Respectfully submitted,

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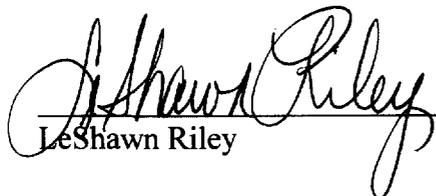
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CERTIFICATE OF SERVICE

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